

ASHFIELD DISTRICT COUNCIL



Council Offices,
Urban Road,
Kirkby in Ashfield
Nottingham
NG17 8DA

Addendum

Local Plan Development Committee

Date: **Monday, 26th February, 2024**

Time: **10.00 am**

Venue: **Council Chamber, Council Offices, Urban Road,
Kirkby-in-Ashfield**

For any further information please contact:

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If you require an adjustment to enable you to participate or access the meeting, please contact the Democratic Services team at least 48 hours before the meeting.

ADDITIONAL PAPERS

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4. **Ashfield Local Plan 2023 to 2040 Regulation 19 Pre-submission Draft: Summary of Consultation Responses.** 5 - 20

Report attached.
5. **Ashfield Local Plan 2023 to 2040 Duty to Cooperate and Statements of Common Ground: Update.** 21 - 32

Report attached.
6. **Draft Greater Nottingham & Ashfield Housing Needs Assessment Update: Implications for the emerging Ashfield Local Plan.** 33 - 44

Report attached.
7. **National Planning Policy Framework (NPPF) December 2023 – Summary of Key Changes.** 45 - 50

Report attached.

If you require an adjustment to enable you to participate or access the meeting, please contact the Democratic Services team at least 48 hours before the meeting.

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Report To:	LOCAL PLAN DEVELOPMENT COMMITTEE
Date:	26TH FEBRUARY 2024
Heading:	ASHFIELD LOCAL PLAN 2023-2040 REGULATION 19 PRE-SUBMISSION DRAFT – SUMMARY OF CONSULTATION RESPONSES
Executive Lead Member:	NOT APPLICABLE
Ward/s:	ALL WARDS
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

To present a summary of the key issues raised in response to the Regulation 19 Pre-submission draft of the Ashfield Local Plan 2023-2040.

Recommendation(s)

The Local Plan Development Committee to note the contents of the report.

Reasons for Recommendation(s)

To inform Members of the key issues raised in response to the Regulation 19 Pre-submission draft of the Local Plan and the next steps in the Local Plan process.

Alternative Options Considered

Not to update Members of the key issues raised in response to the Regulation 19 Pre-submission draft of the Ashfield Local Plan 2023-2040 and therefore not allow them the opportunity to raise any questions for officers to consider.

The responses will be incorporated into a Statement of Consultation which sets out a summary of the main issues raised at Regulation 18 and Regulation 19 consultations and will be submitted to the Secretary of State as part of the Plan submission.

Detailed Information

1.1 The Regulation 19 Pre-submission draft of the Ashfield Local Plan 2023-2040 was subject to an 8-week consultation commencing on Monday 4th December 2023 to 5pm on Monday 29th January 2024. A total of 122 persons or organisations responded resulting in a total of 438 individual representations. Representations are comments made to a specific part of the Plan e.g. a policy or site allocation.

1.2 Table 1 below provides a summary of the key issues raised through the consultation, set out under each chapter in the draft Plan. Appendix A follows on from Table 1 in this report and sets out a summary of key issues raised in objections to Housing Allocations (Policy H1).

1.3 Where a policy, site allocation or other part of the Plan is not listed under the summary of key issues, the following applies:

- no comment was received,
- or the comments submitted are of minor issue – which are of little risk to the soundness of the Plan or would not potentially require changes that materially affect the policies or proposals in the Plan or are considered by officers to be of least significance relating to the ‘soundness’ of the Plan.

Table 1: Summary of Key Issues raised in Response to the Regulation Pre-submission Draft Local Plan

Plan Reference	Summary of Key Issues
Chapter 2 Shaping the future of Ashfield, what we want to achieve (Vision and Objectives)	
Vision	<p>Objection received to the Plan period being 2023 – 2040 - strategic policies should look ahead over a minimum 15-year period from adoption.</p> <p>Objection received to the omission of cross-boundary co-operation including meeting part of the unmet needs of Nottingham City Council within the vision and objectives.</p>
Vision and Strategic Objectives	A number of comments supported the vision and strategic objectives 4, 13 and 14, including support from the Environment Agency and Historic England.
Chapter 3 Sustainable development in Ashfield - Strategic Policies	
Strategic Policy 1: Spatial Strategy to deliver the Vision	<p>Respondents that consider Policy 1 to be ‘unsound’ noted the following:</p> <ul style="list-style-type: none"> • Challenged the release of Green Belt sites, stating more suitable / sustainable sites are available – broadly this relates to the objection to the inclusion of site allocations or land promoters / owners seeking the allocation of new / previously assessed sites located outside of the Green Belt. • Comment that it is not justified, nor clear as to why the proposed strategy only focusses on sites of less than 500 dwellings where the respondent(s) feel there is a perceived under supply in the Local Plan (see also comments under Policy S7). The respondent(s) commented that a dispersed

	<p>strategy will not deliver sufficient homes, or the new and improved infrastructure needed and will not deliver against the plan's vision and objectives – their view is that other spatial options are considered preferable and more sustainable, such as a new settlement / strategic site options included in the Regulation 18 draft of the Plan.</p> <ul style="list-style-type: none"> • Concern raised over the amount of growth in some settlements such as Stanton Hill, Skegby and Huthwaite due to existing pressures on infrastructure such as health care facilities, schools, and the impact on the local highway network. (see also comments in response to housing allocations – Policy H1). <p>A number of other respondents supported the spatial growth strategy as it does not rely on the need for a new settlement and is considered to deliver proportionate growth in the more sustainable settlements.</p>
Strategic Policy S2: Achieving Sustainable Development	<p>One respondent commented that the Local Plan policies should clearly state how social value is calculated, how it is achieved, and how that will be possible on all the allocations and sites that will come forward within the authority area and they felt the Council's use of the term social value is not consistent with national policy.</p>
Strategic Policy S3: Meeting the Challenge of Climate Change	<p>Natural England noted that Integrated Water Management (IWM) is only referenced in the Plan once, and the broader thinking of this concept of water management is not positively considered throughout the Plan and so does not align with the Plan being positively prepared within the tests of soundness. Natural England requested that IWM is woven throughout the Plan in a considered way, including in policy CC3: Flood Risk & SuDS.</p> <p>A number of recommended changes to the policy are proposed, notably from the Environment Agency, relating to improving the quality of water bodies and achieving better than existing water run-off rates for both greenfield and brownfield development.</p>
Strategic Policy S4: Green Belt	<p>Challenges from land owners / land promoters for the need for further release of Green Belt to accommodate additional site allocations to meet the Plan's objectively assessed housing need (see also comments under Policy S7).</p>
Strategic Policy S5: High Quality Buildings and Places through Place Making and Design	<p>Challenge to point 3 (relating to the use of Neighbourhood Plans/orders) that the current wording is not consistent with national policy – wording is suggested to address this.</p> <p>Comment that the policy is considered to be over-lengthy and risks repeating what is already in the Framework. Furthermore there is no mention of the National Design Guide and uncertainty over what is intended for the use of the Design Review Panel.</p>

<p>Strategic Policy S6: Meeting Future Needs - Strategic Employment Allocation at Junction 27 M1 Motorway</p>	<p>Overall, responses to Policy S6 supported the allocations at Junction 27 of the M1.</p> <p>Historic England maintain objection to both sites north and south of Junction 27 due to the potential adverse impacts on Annesley Hall Registered Park and Garden and other heritage assets.</p> <p>Policy and the supporting text could clarify other uses that would be acceptable on the site would be B2.</p> <p>Concerns relating to the allocations that an increase in traffic flow along the A608 and A611 as a result of the proposed development would have a considerable negative effect for residents in the area, including a significant increase in air pollution and impact on existing wildlife corridors.</p>
<p>Strategic Policy S7: Meeting Future Housing Provision</p>	<p>Objections to the policy primarily relate to:</p> <ul style="list-style-type: none"> • Comments that the dispersed development spatial strategy has not been positively prepared as it fails to meet the minimum objectively assessed housing over the plan period, and so additional sites should be allocated to address the shortfall. Objections on this basis are broadly from land owners / promoters and seeking to allocate additional sites, within and outside of the Green Belt. • Concern that the Council has not presented sufficient evidence to demonstrate that allocating sufficient land to meet housing needs in full would be inconsistent with the spatial strategy. • Consideration that there is additional suitable, available, and deliverable land available on non-Green Belt sites and in sustainable locations within Ashfield that could be allocated to address the shortfall. • In relation to the above comments, the site assessment conclusions set out within the SHELAA, Sustainability Appraisal and Background Paper 1 are also challenged. • Concern that if the housing need is not met, this will result in a shortfall in affordable housing. <p>Comments also raise concerns regarding the Duty to Cooperate and the Council should be allocating sites (which are considered to be suitable) to accommodate some of Nottingham City's unmet housing need.</p>

Strategic Policy S8: Delivering Economic Opportunities	As noted above, Historic England object to the employment land allocations at Junction 27. A number of responses support the policy; however, one land promoter states the Plan significantly underestimates the requirement for employment land and so fails to allocate sufficient land to meet identified local and strategic employment needs. It is stated this will perpetuate the longstanding shortfall of available land for strategic B8 distribution and constrain the growth potential of the local and regional economy.
Strategic Policy S9 Aligning Growth and Infrastructure	Some concerns existing infrastructure will not accommodate the level of growth proposed in the Plan. Concern that the reference to development on the boundaries of adjoining authorities potentially contributing towards infrastructure requirements of the District, is not clear on how this would be achieved.
Strategic Policy S13: Protecting and Enhancing Our Green Infrastructure and the Natural Environment	The Environment Agency recommends to encourage, where possible, in excess of the mandatory 10% of Biodiversity Net Gain (up to 20%).
Strategic Policy S14: Conserving and Enhancing Our Historic Environment	The policy is supported by Historic England.
Chapter 4 Meeting the challenge of climate change and adapting to its effects	
Policy CC1: Zero/Low Carbon Developments and Decentralised, Renewable, Low Carbon Energy Generation	Natural England raise concern that there is no mention of ensuring any development protects and enhances the natural environment or biodiversity in delivering net zero targets. NE do however suggest additional wording to address their concern and make the policy 'sound'. One respondent raises concern that the Plan has not practically addressed the key fundamental and critically important issues of climate change – i.e. poor insulation, gas-fired domestic heating, and fossil fuel powered cars.
Policy CC3: Flood Risk and SuDS	A number of representations, whilst not objecting to the policy, propose additional or revised wording to strengthen the policy, – notably from the Environment Agency, Historic England, and Severn Trent. Comments relate to broad concerns regarding issues of existing flooding and potential exacerbation of existing issues as a result of the proposed site allocations.
Chapter 5 Protecting and enhancing Ashfield's character through its natural environment and heritage	
All policies	A number of recommendations have been put forward to the Council to strengthen the aspirations of the policies in Chapter 5, including:

	<p>Seeking 20% Biodiversity Net Gain</p> <p>Give weight to the emerging Local Nature Recovery Strategy</p> <p>Increased woodland planting and improved accessibility to woodland.</p> <p>Seeking opportunities to enhance/ better reveal the historic environment, through any provision of Green Infrastructure/ biodiversity provision. The policy should recognise the value of the historic environment in contributing to the multi-functionality of green-blue infrastructure via cultural heritage, recreation, and tourism through assets such as registered parks and gardens, local historic parks, canals, heritage/ historic landscapes etc.</p> <p>Comments encouraging additions to the policy to include reference to identifying opportunities to create and enhance blue green corridors to protect watercourses and their associated habitats from harm.</p>
EV5: Protection of Green Spaces and Recreation Facilities	<p>Sport England have raised concern the wording of the policy is not clear regarding the protection of sports facilities, including playing fields and the policy does not address the replacement of the equivalent quantity of provision in accordance with national policy. Sport England also recommends the policy should include wording that clarifies a proposal for a flood resilience scheme affecting sports facilities, including playing fields, should be assessed against Paragraph 103 of the NPPF. Solutions to these are however proposed by Sport England.</p> <p>Two land owners / agents have requested that two sites designated as Green Space should not be subject to this designation.</p>
Policy EV9: The Historic Environment	<p>Historic England have made a number of recommended changes to the policy for clarity and to ensure consistency with National Policy.</p>
Policy EV10: Protection and Enhancement of Landscape Character	<p>CPRE Nottinghamshire consider that the exclusion of Named Settlements from this policy leaves them open to the future proliferation of inappropriate housing and renewable energy development, and proposal within these settlements should be subject to as assessment of impact on landscape character referred to in the policy.</p>
Chapter 6 Meeting local housing needs and aspirations	
Policy H1: Housing Allocations	<p>A majority of the representations to Policy H1 are objecting to the inclusion of a number of the site allocations, notably sites relating to Hucknall, Jacksdale and Huthwaite. A list of the site allocations that have received objections and a summary of the issues raised against each is provided in Appendix A to this report.</p> <p>A number of other representations were received from landowners / land promoters who, in challenging that the</p>

	Council has not met its objectively assessed housing need (see comments under Policy S7), are promoting the inclusion of their sites to address the shortfall. These includes sites that were previously included in the Regulation 18 draft of the Plan but have subsequently been omitted for reasons set out by the Council, have been assessed in the SHELAA but have not been considered developable / deliverable, or are new sites that have not yet been submitted to the Council for consideration.
Policy H5: Public Open Space in New Residential Developments	Sport England consider the policy and supporting text is not clear on how the requirements for outdoor sports facilities on new residential developments will be calculated and secured and have requested additional wording to clarify this.
Policy H6: Housing Mix	<p>One respondent states the policy should provide clarity regarding the optional standards in building regulations for accessible housing and the policy should explicitly make reference to technical standards M4(2) and M4(3) to ensure clarity.</p> <p>The same respondent also recommends that all new homes (not only large developments) meet Building Regulations M4 Category 2 accessible and adaptable standard homes to meet the needs of disabled and older people in the District.</p>
Policy H8: Houses in Multiple Occupation, Flats and Bedsits	The policy is challenged by one respondent who states the plan is not clear as to what form 'mixed and balanced communities' take (referred to in criteria 1 and 2 of the policy) and how proposals will be assessed against this criteria. It is also stated that the Local Plan evidence base does not set out relevant information and evidence relating to existing HMOs in the District and the justification for controlling HMOs (and the policy).
Chapter 7 Building a strong economy which provides opportunities for local people	
Policies EM1-EM3	10 representations received to policies EM1, EM2 and EM3, nine of which supported policies EM1-EM3. One respondent objecting to the policy seeks the allocation of a site for employment land stating this will be to accommodate a shortfall in employment land provision to account for the area of existing allocations taken up by Biodiversity Net Gain.
Chapter 8 Placing vibrant town and local centres at the heart of the community	
Policy SH1: Retail, Leisure, Commercial and Town Centre Uses	<p>One respondent recommends the threshold for applying the sequential test should be increased to 1000 sq.m (or at least 500 sq.m) to more closely align with the guidance set out in the PPG and to prevent potential future town centre investment being undermined by perceived unnecessary planning policy requirements.</p> <p>Historic England suggest Conservation Areas/ historic cores of high streets/ retail centres and how to enhance heritage assets in a retail setting to benefit the wider economy of the area. It is also suggested the policy could set out what type of design considerations are appropriate in the context of Conservation Areas and heritage assets such as shopfronts.</p>

Policy SH3: Shopfronts	Historic England states the policy should include a specific clause on how to deal with Shopfronts on heritage assets and in Conservation Areas.
Chapter 9 Achieving successful development through well designed places	
Policy SD1: Social Value	One respondent suggests the policy is not a land user matter and is not consistent with national policy, justified and effective and the policy should be deleted.
Policy SD5: Developer Contribution	Nottinghamshire County Council have requested that Household Waste Recycling Centres (HWRC) should be included in the list of infrastructure which is eligible for developer contributions.
Policy SD6: Assessing Development Viability and Development Demand	Respondent considers that point 4 introduces a review mechanism for all section 106 contributions and policy requirements including affordable housing without any justification, which is not in accordance with national policy.
Policy SD7: Communications Infrastructure	One respondent suggests that infrastructure supporting mobile broadband and Wi-Fi should be included in all new development, not just major developments as referred to in the policy.
Policy SD8: Contaminated Land and Unstable Land	The Environment Agency recommend that the policy should explicitly state that, impacts caused by contamination on water sources and resources caused by the site or previous use should be remedied.
Policy SD10: Transport Infrastructure	One respondent states the transport assessment and cumulative impacts of the assessment is based on the strategy and proposals in the Regulation 18 draft of the plan (notably inclusive of the new settlement site at Whyburn), and the proposed mitigation does not reflect the proposed growth strategy set out in Regulation 19. The comment is made in the context of point 3 of policy SD10 which states that new development, singularly or combined with other proposed development should demonstrate that a sufficient package of measures are proposed (to mitigate the impact on the highway network.)
Policy SD13: Provision and Protection of Health and Community Facilities	<p>Sport England welcome the commitment within the policy to enhancing sports provision but recommend that a separate criterion is added to the policy to address proposals for the loss of sports facilities which is consistent with national policy.</p> <p>Sport England recommend that criterion 3(c) of the policy (relating to exceptions of the loss of health and community facilities where they are no longer economically viable) is deleted as this is not consistent with national policy.</p> <p>NHS Property Services suggest an exception to criterion 3(c) that the loss of existing facilities can be accepted where this forms part of a wider public service estate reorganisation.</p>
General comments and Evidence Base	
Evidence Base	A number of comments have been received in response to the evidence base documents, predominantly the Sustainability Appraisal, Strategic Housing Land & Employment Availability Assessment, Green Belt Harm

	<p>Assessment and Background Paper 1: Spatial Strategy and Site Selection.</p> <p>A majority of the comments relate to supporting the allocation of sites not allocated in the plan, challenging the conclusions of the site assessment and selection process and justification for the preferred spatial strategy.</p>
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Appendix A: Summary of key issues raised in objections to Housing Allocations (Policy H1).

Site Reference	No. of respondents objecting to the site allocation	Summary of key issues
Sites relating to Hucknall	See numbers of objections to the respective site allocations in Hucknall below.	<ul style="list-style-type: none"> Traffic congestion - the quantity of traffic now using Watnall Road causes serious traffic congestion. Inadequate basic facilities - doctors, dentist and schools are already inadequate, without the increased population from the proposed level of development. Local Services and Facilities – concern there is no commitment in the Plan to local services (leisure facilities).
Sites relating to Huthwaite	See numbers of objections to the respective site allocations in Huthwaite below.	<ul style="list-style-type: none"> Huthwaite does not have the infrastructure to support the proposed level of development (capacity of schools, GP surgery, increased congestion on the highway network). Adverse impacts on biodiversity/wildlife Steep topography – impact on views / landscape Increased flooding – concern development will exacerbate existing issues
Sites relating to Jacksdale	See numbers of objections to the respective site allocations in Jacksdale below.	<ul style="list-style-type: none"> Flooding, notably on local road and existing drainage is not suitable. Potential adverse impacts on wildlife Green Belt should not be changed. Jacksdale does not have the infrastructure to support the proposed level of development (capacity of schools, GP surgery, increased congestion on the highway network).
Specific sites		
H1Hb Linby Boarding Kennels, East of Church Lane, Hucknall	1	<ul style="list-style-type: none"> The background paper Spatial strategy and site selection document, October 2023 gives site H1HB an overall green belt harm rating of 'relatively high' (score 15). This is the highest score for sites in Hucknall. This shows the site as having high impact in terms of preventing settlements merging. Allocation of the site would have particular implications for the village of Linby, in terms of coalescence with Hucknall. It would result in an irregular and irrational green belt boundary.
H1Hc Land north of A611 / South	1	<ul style="list-style-type: none"> Potential significant impact on biodiversity - there are two Local Wildlife Sites 2/235 and 2/2275 which will be affected.

of Broomhill Farm, Hucknall		<ul style="list-style-type: none"> • Challenge that the scheme is viable due to the cost of delivering BNG. • The land would be more viable for biodiversity offsetting. • Concern over the impact on local services/infrastructure.
H1Hd Stubbing Wood Farm, Watnall Road, Hucknall	6 (plus a petition of 103 signatures)	<ul style="list-style-type: none"> • Potential for an adverse impact on ancient woodland. • The developer failed to declare multiple privately owned dwellings that are on the site, all of the privately owned dwellings have full access rights to their properties via the private lane. The submission should not be allowed to be put forward on this basis. • Concerns on impacts on the adjacent ancient wood land, including the wildlife (deer's, badgers, wild ducks, hedgehogs, moles, hares, bats, toads, and woodpeckers). • Historic War Tower (protected) is located on the site. Concerns that development would take the tower out of its natural surroundings and could suffer with anti-social behaviour. • The front and back fields are particularly prone to flooding since the soil is clay sitting on bedrock, and surface water from Westville Estate runs across this land, adding to the flooding because it finally passes under Watnall Road, which floods on the bends of the road after heavy rain. • Lack of infrastructure to support the new development (lack of capacity at the Flying High Academy, GP surgery, dentist) • Long standing of many years, 60 to 70 years of flooding from Long Lane onto Watnall Road. • Existing traffic congestion - the site will exacerbate existing issues and concerns over cumulative impacts of vehicles existing from Stubbing Wood on to Watnall Road or Lancaster Road.
H1Se Priestic Road, Sutton	1	<ul style="list-style-type: none"> • Concern regarding land stability. The site is a former railway embankment which has been filled in.
H1Sf Rear 23 Beck Lane, Skegby	2	<ul style="list-style-type: none"> • Flooding - exacerbating existing issues (extensive comments provided on this issue in the original submission). • Access will be obtained via Omberley Avenue and associated issues such as congestion, safety and issues associated with cars parked on Mansfield Road. • There appears to be no plans to build / include bungalows or dwellings for the elderly or disabled within the site. • Lack of infrastructure to support the growth, notably schools and healthcare facilities. • Historic England remain concerned about the development in the setting of Dalestorth House Grade II, and the

		<p>cumulative impact of the developments H1Ss and H1Si. HE recommended additional detail within the Heritage Assessment and again we consider that further consideration is required of the cumulative impacts and what mitigation measures are possible and appropriate to bring forward to reduce the harm to this heritage asset. A masterplan for development in this vicinity could be useful to understand the cumulative effects and solutions.</p>
H1Sh Pasture Farm, Alfreton Road	1	<ul style="list-style-type: none"> • The site should not be included in the Local Plan for development of new housing as it cannot create a "better place to live" it will be wholly unhealthy due to its proximity to a major road (A38) above its level. • The site has a public house sitting above/alongside another side and finally a Haulage contractors yard on the adjoining Calladine Lane industrial estate. • All of the above will be detrimental to the health of any residents. • There is no safe access. The only access is along a private driveway not designed for vehicles. • There is an ancient laid hedgerow through the middle of the site. • Two footpaths located on the site – concern these will be lost. • A stream forms at this location. • There is no opportunity for a green space in this Hollow should it be developed.
H1Si Rear Kingsmill Hospital	1 objection and 1 respondent Historic England providing comments	<ul style="list-style-type: none"> • Historic England (HE) remain concerned about the development in the setting of Dalestorth House Grade II, and the cumulative impact of the developments H1Ss and H1Sf. • HE recommended additional detail within the Heritage Assessment and further consideration is required of the cumulative impacts and what mitigation measures are possible and appropriate to bring forward to reduce the harm to this heritage asset. A masterplan for development in this vicinity could be useful to understand the cumulative effects and solutions. • The site will have a major impact on the surrounding area, especially highways.
H1Sj Clegg Hill Drive, Huthwaite	2	<ul style="list-style-type: none"> • Concern regarding the existing capacity at the dentist, GP and whether there will be the investment in new local infrastructure. • Concern whether utilities infrastructure can support another 500+ properties. • The 300 homes planned for Ashland Road area will put an unacceptable strain on Huthwaite.

		<ul style="list-style-type: none"> • Flooding – development will exacerbate existing issues. • There is insufficient road access and capacity.
H1Sk Sunnyside Farm, Blackwell Road, Huthwaite	23	<ul style="list-style-type: none"> • Adverse impact on amenity with potential loss of light and noise pollution for nearby properties. • Flooding - Having more houses on Blackwell Road will affect the drainage and can result in flooding. The road already floods in heavy rain – existing issues will be exacerbated. • No Bus Route available - there is no bus route on Blackwell Road which affects the residents, the paths are not wide enough with parking for residents with prams or in a wheelchair. • Concerns regarding the available capacity of local schools and GP surgeries which will be put under more pressure by development of the site. • Development would result in the loss three local wildlife sites (LWS) as well as having a detrimental impact on 5 further sites in close proximity. • No consideration given to the infrastructure requirements (references to limited capacity at existing schools, GP surgery, hospitals). • Development of the site will result in the loss of green spaces, impacting on physical and mental well-being and tackling poor health. • Ground stability is a concern - a former colliery spoil tip is located on the southern part of the site. • There are several natural springs running across the site, which results in flooding. • Ancient rural footpaths will be lost. • There is a potential for buried archaeological remains on the site.
H1SI North of Fackley Road, Teversal	1	<ul style="list-style-type: none"> • The allocation of site contradicts Policy EV10 and does not meet the test outlined in Policy EV4 and its supporting paragraphs. • Allocation conflicts with the Teversal, Stanton Hill and Skegby Neighbourhood Plan Policy NP1 Para 2 (landscape character and will not deliver a range of social facilities to meet local need) as well as Policy NP4 and the accompanying Design Guide. • The existing green corridors in proximity of the site are particularly sensitive and there is concern these spaces will be eroded.

		<ul style="list-style-type: none"> The number and size of allocated sites in the settlement of Fackley are not in line with the definition of Policy S1 - 'small scale growth'. the increased number of dwellings.
H1Sn Adj Molyneux Farm, Fackley Road, Teversal	1	<ul style="list-style-type: none"> The allocation of site contradicts Policy EV10 and does not meet the test outlined in Policy EV4 and its supporting paragraphs. Allocation conflicts with the Teversal, Stanton Hill and Skegby Neighbourhood Plan Policy NP1 Para 2 (landscape character and will not deliver a range of social facilities to meet local need) as well as Policy NP4 and the accompanying Design Guide. The existing green corridors in proximity of the site are particularly sensitive and there is concern these spaces will be eroded. The number and size of allocated sites in the settlement of Fackley are not in line with the definition of Policy S1 - 'small scale growth'. the increased number of dwellings.
H1So Off Fackley Road, Teversal	1	<ul style="list-style-type: none"> The allocation of site contradicts Policy EV10 and does not meet the test outlined in Policy EV4 and its supporting paragraphs. Allocation conflicts with the Teversal, Stanton Hill and Skegby Neighbourhood Plan Policy NP1 Para 2 (landscape character and will not deliver a range of social facilities to meet local need) as well as Policy NP4 and the accompanying Design Guide. The existing green corridors in proximity of the site are particularly sensitive and there is concern these spaces will be eroded. The number and size of allocated sites in the settlement of Fackley are not in line with the definition of Policy S1 - 'small scale growth'. the increased number of dwellings.
H1Sq Hardwick Lane Recreation Ground	2 (plus a petition of 654 signatures)	<ul style="list-style-type: none"> Sport England objects to the allocation of site H1Sq – Hardwick Lane as it is not consistent with the requirements of paragraph 103 of the NPPF. Site H1Sq is a playing field, Sport England’s Active Places Power lists this site as including 1 adult football pitch. The Ashfield Playing Pitch Strategy (2023) (PPS) identifies the Hardwick Lane Recreation Ground as a lapsed site. However, a lack of use of a playing field should not be taken as necessarily indicating an absence of need in an area. The PPS identifies shortfalls in provision of youth 11v11 and youth 9v9 football pitches. Sport England recommended that: <ul style="list-style-type: none"> a footnote is added to Policy H1 for site H1Sq which states that the allocation is subject to proposals demonstrating that the requirements of paragraph 103 of the NPPF have been met; and Paragraph 6.71 is updated to require mitigation for the loss of the playing field unless it can be

		<p>demonstrated that the provision is surplus to requirements in line with NPPF paragraph 103.</p> <ul style="list-style-type: none"> The response, inclusive of the petition of 654 signatures, objects to the loss of Hardwick Recreation Ground (H1Sq) as it does not align with the Council's Health and Wellbeing Strategy 2021-2025. It is also stated the Playing Pitch Strategy 2023-2027 which does not demonstrate that Hardwick Lane Recreation Ground is surplus to requirement in the catchment area.
H1St Land off Blackwell Road/Main Street, Huthwaite	17	<ul style="list-style-type: none"> This area is prone to flooding and ground stability also, lack of drainage. Development will result in the loss of wildlife. Development will put strain on Blackwell Road which is already busy with traffic from the nearby the industrial estate. The area is already struggling with spaces for school, doctors, and dentists. Adverse impact on amenity – the noise and disruption for all local residents will be too much along with all the other traffic. Ancient rural footpaths will be lost. The community of Huthwaite does not have capacity in its education, health, sewerage, fire, and policing policies and cannot accommodate a further 400 families. Concerns over highways safety as a result of increased traffic movements There is a potential of archaeological remains on the site. No bus service available on Blackwell Road
H1Va Land at Plainspot Farm, New Brinsley, Underwood	1	<ul style="list-style-type: none"> Francis Street and Plainspot Road provide vehicular access to the site, both of which are narrow roads with existing traffic issues, which will only worsen with further development in the area. Concerns regarding the accumulation of new housing surrounding the village leading to urban sprawl, and this will lead to the loss of village character and sense of community and have a detrimental impact on quality of life. Further development on the edge of the village could lead to coalescence with surrounding villages, contrary to Green Belt policy, and will add further pressure to the existing local services and infrastructure.
H1Vj Land off Main Road, Jacksdale	10	<ul style="list-style-type: none"> Concerns development will exacerbate existing flooding issues related to Bagthorpe Brook which is poorly maintained. Issues of flooding on Main Road, Westwood and Brinsley Hill also noted as an issue.

		<ul style="list-style-type: none"> • Infrastructure will not be able to accommodate the growth (roads, schools, GP surgery and dentist). • Respondents note the issues raised in the SHELAA report as matters of concern, including: <ul style="list-style-type: none"> • Likely existence of contamination. • Likely ground stability issues. Part of the site is Coal High Risk Area • The site has significant access constraints and watercourse / surface flooding issues. • It is located in the Green Belt and therefore it is necessary to demonstrate that there are exceptional circumstances, for the site to be taken out of the Green Belt • A risk to wildlife and biodiversity • Landscape objectives are to enhance (e.g.: house building will detract severely).
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Next Steps

Subject to the approval of Council, the Plan will be submitted to the Secretary of State for Independent Examination in April 2024. The submission document will include a Statement of Consultation which sets out a summary of the main issues raised at Regulation 18 and Regulation 19 consultations, and the Council’s response to each of the representations made at Regulation 19.

Implications

Corporate Plan: Planning, and the Local Plan has a cross cutting role to play in helping to meet and deliver the priorities identified in the Corporate Plan. In particular, the Local Plan has a key responsibility in delivering the outcomes around the supply of appropriate and affordable homes, improving town centres, facilitating economic growth especially around transport hubs, and improving parks and green spaces.

Legal: The National Planning Policy Framework requires local authorities to develop local plans for development in their area that are consistent with national policy. In turn, applications for planning permission must be determined in accordance with local development plans, unless material considerations indicate otherwise. The National Planning Policy Framework is a consideration in all decision making as part of the planning process. Any implications relating to the Local Plan will be kept under review. [RLD 14/02/2024]

Finance: There are no direct financial implications arising because of this report. [PH 12/02/2024].

Budget Area	Implication
General Fund – Revenue Budget	None.
General Fund – Capital Programme	None.
Housing Revenue Account – Revenue Budget	None.

Housing Revenue Account – Capital Programme	None.
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Risk:

Human Resources: There are no direct HR implications contained within this report.[KB 13/02/2024]

Environmental/Sustainability: Sustainability is at the heart of the planning system and the Plan has been prepared with the aim of delivering sustainable development in the District in accordance with the requirements of paragraphs 7 and 8 of the National Planning Policy Framework (NPPF), 2021. The Plan has been prepared in accordance with the Planning & Compulsory Purchase Act 2004, as amended, which requires the Council to conduct an appraisal of the sustainability of the proposals in Local Plan and prepare a report of the findings of the appraisal.

Equalities: An Equality Impact Assessment has been undertaken as part of the consideration of the Regulation 19 Local Plan.

Other Implications:

None

Reason(s) for Urgency

Not applicable

Reason(s) for Exemption

Not applicable

Background Papers

Not applicable

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Report To:	LOCAL PLAN DEVELOPMENT COMMITTEE
Date:	26th FEBRUARY 2024
Heading:	ASHFIELD LOCAL PLAN 2023-2040: DUTY TO COOPERATE AND STATEMENTS OF COMMON GROUND UPDATE
Executive Lead Member:	NOT APPLICABLE
Ward/s:	ALL WARDS
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

To present a summary of how the Council has met its legal obligations under the Duty to Cooperate in accordance with Section 33A of the Planning and Compulsory Purchase Act 2004.

Recommendation(s)

Members are asked to note the contents of this report.

Reasons for Recommendation(s)

To inform Members of the steps the Council has taken in meeting its legal obligations under the Duty to Cooperate throughout the preparation of the Ashfield Local Plan 2023-2040.

To provide an update on the status of the Statements of Common Ground being prepared by the Council.

Alternative Options Considered

Not to update Members on how the Council has met its legal obligations under the Duty to Cooperate. Members would not be aware of the steps the Council has taken in meeting its legal obligations under the Duty to Cooperate throughout the preparation of the Ashfield Local Plan 2023-2040.

Detailed Information

1. Duty to Co-operate – Background

- 1.1 The Localism Act 2011 introduced the Duty to Cooperate as set out in (Section 33A of the Planning and Compulsory Purchase Act 2004). The Act places a legal duty on local authorities to engage constructively, and on an ongoing basis, with prescribed bodies to address strategic matters relating to the Local Plan.
- 1.2 Whether or not a local planning authority has brought forward a Plan in line with the Duty to Co-operate is a key legal test which the Plan will be assessed against when it is considered at Examination.
- 1.3 A strategic matter is defined in the Act as:
 - (a) sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas, and
 - (b) sustainable development or use of land in a two-tier area if the development or use is a county matter or has or would have a significant impact on a county matter’.
- 1.4 The Local Plan Strategic Policies address aspects which the Council considers to be strategic matters which should be considered under the provisions of the Duty to Cooperate. However, there may also be cross boundary issues where local authorities have worked together, but this is not necessarily a strategic matter.
- 1.5 The following areas are considered to be strategic matters for Ashfield: -
 - Housing – Delivering housing required to meet housing market area needs.
 - Employment - Provision of jobs and employment land to meet Ashfield’s needs and to contribute to the wider functional economic market area.
 - Gypsy, Traveller and Travelling Showpeople provision.
 - Retail - Scale and location of retail development.
 - Green Belt.
 - Infrastructure provision arising from the development needs.
 - Management of flooding and water quality both within and outside Ashfield.
 - Sustainable transport and connectivity, including the Maid Marian Railway Line proposal.
 - Nature Conservation – in particular considering the impacts of the new possible potential Special Protection Area (ppSPA) for Sherwood Forest.
 - Historic environment – Conservation and enhancement.
- 1.6 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) sets out a list of prescribed bodies to which the Duty to Cooperate applies. Those relevant to the preparation of the Ashfield Local Plan are:

- Local Planning Authorities, either neighbouring or making up the Housing Market Area
- Environment Agency
- Historic England
- Natural England
- Civil Aviation Authority
- Homes England
- Clinical Commissioning Groups (now NHS Integrated Care Board)
- Office of Rail and Road
- National Highways
- Nottinghamshire County Council and Derbyshire County Council as highways authorities
- D2N2 Local Enterprise Partnership

2. Joint Working

- 2.1 A full list of prescribed bodies, the methods of engagement, and the relevant strategic issues being addressed between the Council and each body is set out in Table 1 below.
- 2.2 The Council has a history of joint working with neighbouring authorities and statutory consultees on strategic planning matters. It has a close working relationship with the authorities in both the Nottingham Outer Housing Market Area (HMA) and the Nottingham Core Housing Market Area, other adjoining authorities, and Nottinghamshire County Council. The Council is also one of the constituent authorities of the D2N2 Local Enterprise Partnership (LEP) which covers Nottinghamshire, Nottingham City, Derbyshire, and Derby City.
- 2.3 The Council has put in place a range of governance arrangements to address the range of strategic matters and to meet its legal obligations under the Duty to Cooperate. The Council has engaged with the prescribed bodies throughout the preparation of the Local Plan via a number of methods, including formal consultation (Regulation 18 and 19 consultations), membership of various working groups and partnerships, collaboration on joint evidence base studies to address strategic and cross boundary issues, and meetings to discuss issues as and when required.

Table 1: List of Duty to Co-operate prescribed bodies and methods of engagement.

Prescribed Body	Method(s) of Engagement	Strategic Matters
Nottingham Core HMA Authorities: (Nottingham City Council, Rushcliffe Borough Council, Broxtowe Borough Council, Erewash Borough Council, Gedling Borough Council)	<ul style="list-style-type: none"> • Statement of Common Ground between Ashfield District Council and the Nottingham Core HMA. • D2N2 Partnership Board • The City of Nottingham and Nottinghamshire Economic Prosperity Committee • Nottinghamshire Local Government Leaders 	Quantity and Location of Housing Development Gypsy, Traveller and Travelling Showpeople provision. Provision of Employment Land Green Belt Infrastructure delivery Flooding

Prescribed Body	Method(s) of Engagement	Strategic Matters
	<ul style="list-style-type: none"> • Nottinghamshire Policy Officers Group meetings • Nottinghamshire Development Management Liaison Group Meetings • Greater Nottingham Joint Planning Advisory Board (JPAB) • Greater Nottingham Planning Partnership – Officer Group • Nottingham Core HMA Monitoring Group • Nottinghamshire Ecological and Geological Data Partnership Meetings • Ashfield Major Projects Group • Numerous joint evidence base studies 	<p>Ecology and Heritage</p> <p>Blenheim Industrial Estate boundary</p>
<p>Nottingham Outer HMA Authorities: (Mansfield District Council, Newark & Sherwood District Council)</p>	<ul style="list-style-type: none"> • Statement of Common Ground between Ashfield District Council and the Nottingham Outer HMA • D2N2 Partnership Board • The City of Nottingham and Nottinghamshire Economic Prosperity Committee • Nottinghamshire Local Government Leaders Group • Nottinghamshire Policy Officers Group meetings • Nottinghamshire Development Management Liaison Group Meetings 	<p>Main Urban Area Boundaries</p> <p>Quantity and Location of Housing Development</p> <p>Gypsy, Traveller and Travelling Showpeople provision.</p> <p>Provision of Employment Land Infrastructure delivery</p>

Prescribed Body	Method(s) of Engagement	Strategic Matters
	<ul style="list-style-type: none"> • Nottinghamshire Ecological and Geological Data Partnership Meetings • Ashfield Major Projects Group • Joint Self- Build and Custom Build Register with Ashfield administering on behalf of the three councils. • Numerous joint evidence base studies 	
Bolsover District Council	<ul style="list-style-type: none"> • Statement of Common Ground between Ashfield District Council and Bolsover District Council • Meetings between the two local planning authorities at an officer level are held as and when needed to address cross boundary matters, including delivery of development to meet the identified needs. 	<p>Quantity and Location of Housing Development</p> <p>Gypsy, Traveller and Travelling Showpeople provision.</p> <p>Provision of Employment Land</p> <p>Infrastructure delivery</p> <p>Sustainable Transport Modes and Connectivity</p> <p>Flooding</p> <p>Ecology and Heritage</p>
Amber Valley Borough Council	<ul style="list-style-type: none"> • Statement of Common Ground between Ashfield District Council and Amber Valley • Meetings between the two local planning authorities at an officer level are held as and when needed to address cross boundary matters, including delivery of development to meet the identified needs. 	<p>Quantity and Location of Housing Development</p> <p>Gypsy, Traveller and Travelling Showpeople provision.</p> <p>Provision of Employment Land</p> <p>Infrastructure delivery</p> <p>Sustainable Transport Modes and Connectivity</p> <p>Flooding</p> <p>Ecology</p>

Prescribed Body	Method(s) of Engagement	Strategic Matters
Environment Agency	<ul style="list-style-type: none"> Statement of Common Ground between Ashfield District Council and the Environment Agency 	<p>Flood risk</p> <p>Biodiversity</p> <p>Protection of water resources and quality</p>
Historic England	<ul style="list-style-type: none"> Statement of Common Ground between Ashfield District Council and Historic England Officer meetings to discuss the Heritage Impact Assessment and outstanding issues. 	<p>The Local Plan's approach to the protection and enhancement of the Historic Environment.</p> <p>The conclusions of the Ashfield Heritage Impact Assessment, with particular regard to the allocation of two Strategic Employment Sites under Policy S6:Land to the North-east of Junction 27, and Land South-east of Junction 27.</p>
Natural England	<ul style="list-style-type: none"> Statement of Common Ground between Ashfield District Council and Natural England Consulted Natural England on the preparation of the Habitat Regulation Assessment 	<p>Ashfield Habitat Regulation Assessment</p> <p>Strategic land use policies relating to the conservation, enhancement and management of the natural environment</p>
Civil Aviation Authority	Consulted at Regulation 18 and Regulation 19 stages of the emerging Local Plan	No issues raised
Homes England and Regulator of Social Housing	Consulted at Regulation 18 and Regulation 19 stages of the emerging Local Plan	No issues raised
NHS Nottingham & Nottinghamshire Integrated Care Board	<ul style="list-style-type: none"> Statement of Common Ground between Ashfield District Council and the NHS Nottingham & Nottinghamshire Integrated Care Board Collaboration and liaison on the Infrastructure Delivery Plan (IDP) to inform the preparation of the Ashfield Local Plan 2023-2040 	<p>The key strategic matters in relation to health care provision, including strategic land use policies</p> <p>The level of financial contributions needed in order to deliver the necessary health care infrastructure to meet the housing growth and population increase proposed in the Ashfield Local Plan 2023-2040</p> <p>Partnership and collaboration between ADC and NHS Nottingham and Nottinghamshire Integrated Care Board on priority spending on health care provision</p>

Prescribed Body	Method(s) of Engagement	Strategic Matters
Office of Rail and Road	Consulted at Regulation 18 and Regulation 19 stages of the emerging Local Plan	No issues raised
National Highways	Statement of Common Ground between Ashfield District Council and National Highways	All matters relating to the impact on the Strategic Highway Network (M1 Motorway) resulting from proposals in the emerging Local Plan. Ashfield Local Plan Strategic Transport Assessment Ashfield Local Plan Infrastructure Delivery Plan
Nottinghamshire County Council (as the highways authority)	<ul style="list-style-type: none"> • Statement of Common Ground between Ashfield District Council and Nottinghamshire County Council • The Maid Marian Line Steering Group • D2N2 Local Enterprise Partnership Board • The City of Nottingham and Nottinghamshire Economic Prosperity Committee • Nottinghamshire Local Government Leaders Group • Greater Nottingham Joint Planning Advisory Board (JPAB) • Greater Nottingham Planning Partnership – Officer Group • Ashfield Major Projects Group • The LNRS Strategic Oversight Group • Bus Service Improvement Plan - Nottinghamshire 	<p>Transport – mitigation and the delivery of key infrastructure</p> <p>Education provision and contributions arising from proposed growth.</p> <p>Employment provision</p> <p>Protection and enhancement of Heritage Assets</p> <p>Protection and enhancement of Green Infrastructure and Biodiversity</p> <p>Local Nature Recovery Strategy</p> <p>Flood Risk and Management</p> <p>Minerals matters.</p> <p>Waste matters</p>

Prescribed Body	Method(s) of Engagement	Strategic Matters
	<p>Enhanced Partnership Stakeholder Reference Group</p> <ul style="list-style-type: none"> • The Community Rail Partnership (CRP) • Engagement meetings to discuss the Nottinghamshire and Nottingham Waste Local Plan and subsequent Statement of common Ground between Nottinghamshire County Council and Ashfield District Council 	
Derbyshire County Council (adjoining highways authority)	<ul style="list-style-type: none"> • Consulted at Regulation 18 and Regulation 19 stages of the emerging Local Plan • Greater Nottingham Joint Planning Advisory Board (JPAB) • Greater Nottingham Planning Partnership – Officer Group 	Transport – mitigation and the delivery of key infrastructure
D2N2 Local Enterprise Partnership	<ul style="list-style-type: none"> • D2N2 Local Enterprise Partnership Board • The City of Nottingham and Nottinghamshire Economic Prosperity Committee 	Low carbon economic growth

3. Statements of Common Ground

- 3.1 The purpose of a Statement of Common Ground (SoCG) is to inform the Inspector of the Ashfield Local Plan and other interested parties about the areas of agreement, or otherwise, between the Council and the prescribed bodies in respect of strategic planning matters.
- 3.2 A Statement of Common Ground is one mechanism by which the Council can demonstrate it has met its legal obligation under the Duty to Cooperate. Table 2 provides a list of the SoCG completed and those currently being prepared through ongoing discussions with the respective bodies.

Table 2: Status of Ashfield District Council's Statements of Common Ground

Prescribed Body	Statement of Common Ground: Status	Outstanding Areas of Disagreement
NHS Nottingham & Nottinghamshire Integrated Care Board	Draft.	None to date
Environment Agency	Signed	None
National Highways	Signed	None
Natural England	Signed	None
Nottinghamshire County Council	Draft	The allocation of two Strategic Employment Sites under Policy S6 and their cumulative impacts on heritage assets: a) Land to the North-east of Junction 27 and west of Sherwood Business Park comprising a gross site area of approximately 20.47 hectares. b) Land South-east of Junction 27 comprising a gross area of approximately 25 hectares towards the latter end of the Plan Period.
Nottingham Core HMA Authorities: <ul style="list-style-type: none"> • Nottingham City Council • Rushcliffe Borough Council • Broxtowe Borough Council • Erewash Borough Council • Gedling Borough Council 	Draft	Standing objection to housing allocation H1Va, Land at Plainspot Farm, New Brinsley, Underwood for 42 dwellings from Broxtowe Borough Council.
Nottingham Outer HMA Authorities: <ul style="list-style-type: none"> • Mansfield District Council • Newark & Sherwood District Council 	Signed	None.
Historic England	Draft	The allocation of two Strategic Employment Sites under Policy S6 and their cumulative impacts on heritage assets: a) Land to the North-east of Junction 27 and west of Sherwood Business Park comprising a gross site area of approximately 20.47 hectares.

		b) Land South-east of Junction 27 comprising a gross area of approximately 25 hectares towards the latter end of the Plan Period.
Bolsover District Council	Signed	None.
Amber Valley Borough Council	Draft	None to date

4. Next Steps

- 4.1 Officers will continue to engage with the prescribed bodies to address any outstanding strategic matters and to progress with the Statements of Common Ground (SoCG), seeking, where possible, agreement on any outstanding issues prior to the submission of the Local Plan to the Secretary of State in April 2024.
- 4.2 Statements of Common Ground will be published on the Council's website prior to submission.

Implications

Corporate Plan: Planning, and the Local Plan in particular, has a cross cutting role to play in helping to meet and deliver the 6 priorities identified in the Corporate Plan. In particular, the Local Plan has a key responsibility in delivering the outcomes around the supply of appropriate and affordable homes, improving town centres, maximising economic growth especially around transport hubs and improving green spaces and the natural environment.

Legal: The Planning and Compulsory Purchase Act 2004 (as amended) ("the Act") and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) sets out the legislative requirements in bringing a local plan forward, including the Duty to Co-operate. Under Section 20 of the Act, an authority must not submit a Local Plan unless they have complied with any relevant requirements contained in the regulations and the document is ready for independent examination. [RLD 14/02/2024]

Finance: There are no direct financial implications contained within this report. [PH 16/02/2024].

Budget Area	Implication
General Fund – Revenue Budget	None.
General Fund – Capital Programme	None.
Housing Revenue Account – Revenue Budget	None.
Housing Revenue Account – Capital Programme	None.

Risk:

Risk	Mitigation
Planning Inspector considers that Ashfield have not met with the Duty to Co-operate in preparing the Ashfield Local Plan.	All Statements of Common Ground to be finalised and published prior to submission of the Local Plan for Examination.

Human Resources: There are no direct HR implications contained within this report.[KB 14/02/2024}

Environmental/Sustainability: Sustainability is at the heart of the planning system and the Plan has been prepared with the aim of delivering sustainable development in the District in accordance with the requirements of paragraphs 7 and 8 of the National Planning Policy Framework (NPPF), 2021. The Plan has been prepared in accordance with the Planning & Compulsory Purchase Act 2004, as amended, which requires the Council to conduct an appraisal of the sustainability of the proposals in Local Plan and prepare a report of the findings of the appraisal.

Equalities: An Equality Impact Assessment has been undertaken as part of the consideration of the Regulation 19 Local Plan.

Other Implications:

Not applicable

Reason(s) for Urgency

Not applicable

Reason(s) for Exemption

Not applicable

Background Papers

Not applicable

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Report To:	LOCAL PLAN DEVELOPMENT COMMITTEE
Date:	24TH FEBRUARY 2024
Heading:	DRAFT GREATER NOTTINGHAM & ASHFIELD HOUSING NEEDS ASSESSMENT UPDATE: IMPLICATIONS FOR THE EMERGING ASHFIELD LOCAL PLAN
Executive Lead Member:	NOT APPLICABLE
Ward/s:	ALL WARDS
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

To note the potential implications of the draft Greater Nottingham & Ashfield Housing Needs Assessment Update (HNA) evidence (as produced by consultants Icen Projects) on the Ashfield Local Plan 2023–2040 Regulation 19 Pre-Submission Draft policies and supporting text.

The purpose of the HNA is not to identify the overall level of need (quantum) of housing in the District, but rather to inform planning policy on an appropriate mix of housing. The main driver for this update is to reflect more recent 2021 Census data.

Recommendation(s)

To note the potential implications of the draft Greater Nottingham & Ashfield Housing Needs Assessment Update.

Recommendations in the final HNA update to be considered as part of a Local Plan Review moving forwards, or earlier at Examination if required by the Independent Inspector.

Reasons for Recommendation(s)

Icen Projects were appointed to undertake an update of the 2020 Housing Needs Assessment (HNA) on behalf of the local authorities comprising the Greater Nottingham Area (City of Nottingham, Broxtowe, Rushcliffe, and Gedling) and Ashfield District.

Due to the timing of the commission, the Ashfield Local Plan 2023 – 2040 Regulation 19 Pre-Submission Draft superseded the outcome of the HNA update. As the Pre-Submission Draft represents the Plan that the Council intends to take forward to Examination, it is not considered practical or appropriate to take account of the HNA update at this stage. To do so would incur additional costs and is likely to result in a delay to the Examination process.

Alternative Options Considered

To amend policies and supporting text in the emerging Ashfield Local Plan as required to reflect the outcome of the final HNA update when it is received by the Council. This is likely to have financial implications and impact on the Local Plan timetable in respect of commissioning an update of the Whole Plan Viability Assessment. Where revised policies have an impact on viability, this may reduce the level of affordable housing which can be reasonably be requested under Policy H3 of the emerging Local Plan.

The local planning authority are able to include proposed changes to the Regulation 19 Plan in an addendum at submission stage. Proposed changes are considered by the Inspector during the examination process but will not be treated as part of the submitted Plan (unless they have been subject to further public consultation which would delay the Local Plan process further).

Detailed Information

1.0 Background

- 1.1 Icen Projects were appointed to undertake an update of the 2020 Housing Needs Assessment (HNA) on behalf of the local authorities comprising the Greater Nottingham Area (City of Nottingham, Broxtowe, Rushcliffe, and Gedling) and Ashfield District (due to the close links between the town of Hucknall and the City of Nottingham). The main driver for this update is to reflect 2021 Census data.
- 1.2 The purpose of the HNA is not to identify the overall level of need (quantum) of housing in the District, but rather to inform planning policy on an appropriate mix of housing, reflecting the requirements of paragraph 63 of the National Planning Policy Framework 2023 (NPPF). This includes the size, type and tenure of housing needed for different groups in the community. These groups should include (but are not limited to) those who require affordable housing; families with children; older people (including those who require retirement housing, housing-with-care, and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes.
- 1.3 The HNA does not include an assessment of Gypsy and Traveller needs as this is addressed in a separate study.
- 1.4 Policies and supporting text in the emerging Ashfield Local Plan 2023 to 2040 (Regulation 19) have been drafted using the 2020 HNA (Icen) as evidence and may need to be amended to reflect the most up to date evidence from the new HNA update moving forwards. The Council is not as yet in receipt of the final HNA update from Icen, however the headlines from a final draft iteration are unlikely to change significantly at this point.

2.0 Summary of findings for Ashfield District and potential impact on Draft Local Plan policy/supporting text

2.1 Although there are a number of changes from the 2020 Housing Needs Assessment, the key outcomes which will affect planning for future homes in Ashfield include:

- The 2020 HNA conclusions recommended that 69% of market housing be family-sized (i.e. 3 or more-bedroom homes). The 2023 analysis suggests just over half of homes (51%) should be family-sized with a balance of smaller properties at 49%. This is driven partly due to modelling which seeks to reduce under-occupancy in order to make more efficient use of stock in the District.
- The 2023 analysis for the affordable/ social rented sector remains broadly comparable with 2020 HNA recommendations with a recommendation of around 30% family sized homes and 70% smaller properties.
- In respect of specialist housing for the elderly and disabled, the overall level of future need has reduced from the 2020 HNA analysis. Despite lower figures, there remains a clear need for specialist housing both with regards to housing with support and housing with care across both market and affordable tenures.
- A higher level of need has been identified for wheelchair users over the 2023-40 period which equates to around 10% of the Standard Method need for 446 dwellings per annum. This would suggest that there is a need to increase the supply of accessible and adaptable dwellings and wheelchair-user dwellings in addition to providing a specific provision of older persons housing.
- Draft Local Plan policy currently seeks 10% of homes on larger sites to meet M4(2) accessible and adaptable dwellings standards. However, Building Regulations are likely to mandate that all new homes are built to a minimum of these standards in future.
- Draft Local Plan policy does not specifically require any M4(3) wheelchair user dwellings, however, the draft HNA update suggests there could be evidence to support a requirement of between 5% and 10%. This would clearly have cost implications which could impact on deliverability of other policy requirements if taken forward.

2.2 The following paragraphs summarise each section of the draft HNA update and what the implications could be for Ashfield moving forwards.

PLEASE NOTE: THE TEXT HIGHLIGHTED IN THE GREEN BOXES REFERS TO POTENTIAL IMPLICATIONS AND CHANGES REQUIRED IF THE COUNCIL WISHES TO TAKE ACCOUNT OF THE HNA UPDATE PRIOR TO LOCAL PLAN EXAMINATION.

Housing Market Area (HMA)

- 2.3 The analysis confirms that the Nottingham Core HMA of Broxtowe, Erewash, Gedling, the City of Nottingham, and Rushcliffe remains valid. There is also some overlap with the Nottingham Outer HMA and particularly Hucknall in Ashfield.

No change required.

Affordable Housing

- 2.4 The analysis identifies a notable need for affordable housing, and it is clear that provision of new affordable housing is an important issue across the District. However, it is stressed that the report does not provide an affordable housing target as the amount of affordable housing delivered will be limited to the amount that can viably be provided.

Affordable Housing Need in Ashfield (p.a.), 2020 vs 2023

	2020 HNA	2023 Draft HNA
Social/Affordable Rented	237	302
Affordable Home Ownership	-195	-101

Source: Derived from market cost analysis

- 2.5 The need for social/affordable rented homes has increased which strengthens the Council's position on securing affordable housing on development schemes and the core conclusion remains – the Council should aim to maximise the delivery of affordable homes when the opportunity arises.
- 2.6 When looking at the need for affordable home ownership (AHO) products it is clear that there are a number of households likely to be able to afford to rent privately but who cannot afford to buy a suitable home. However, there is also a potential supply of homes within the existing stock that can make a contribution to this need. The recommendation to seek affordable home ownership, as 'shared ownership' rather than low cost market housing (noting that the National Planning Policy Framework suggests a 10% figure for sites of 10 or more dwellings) remains unchanged. This is due to the lower deposit requirements and lower overall costs (given that the rent would also be subsidised).
- 2.7 Despite the level of need, it is not considered that this points to any requirement for the Council to increase the Local Plan housing requirement due to affordable needs.

2.8 Possible implications for the emerging Local Plan:

Policy S7: Meeting Future Housing Provision – No Change.

- Supporting text Table 3: Ashfield Affordable Housing Net Need will need updating accordingly.

Policy H3: Affordable Housing – No Change as a consequence of this assessment for affordable housing needs. This is informed by the Whole Plan Viability Assessment alongside the recommendation for affordable home ownership products which remain unchanged. (However potentially increasing requirements in other policies such as adaptable and accessible dwellings under Policy H6: Housing Mix could undermine the viability of this policy as currently drafted)

- Supporting text at paragraphs 6.115 and 6.116 will need amending to reflect the new HNA title and data.

Housing Mix

2.9 Analysis of the future mix of housing required takes account of demographic change, including potential changes to the number of family households and the ageing of the population. The suggested figures can be used to ensure that future delivery is not unbalanced when compared with the likely requirements as driven by demographic change in the area.

2.10 The recommendations are used as guidelines to consider the appropriate mix on larger development sites in supporting text to Policy H6: Housing Mix. Site location and area character are also relevant considerations for the appropriate mix of market housing on individual development sites.

Housing Mix, 2020 vs 2023

Tenure Sector	Housing Needs Study	1 bedroom	2 bedrooms	3 bedrooms	4+ bedrooms
Market	2020	4%	27%	45%	24%
	2023	11%	38%	39%	12%
Affordable Home Ownership	2020	23%	38%	24%	15%
	2023	18%	44%	31%	7%
Social/Affordable Rent	2020	35%	37%	25%	3%
	2023	31%	37%	26%	6%

Source: 2020 and 2023 Housing Needs Studies

- 2.11 The comparison table above indicates that the housing mix sought should have a greater balance in the Market sector between smaller and larger housing when compared with the 2020 HNA. The shift in the conclusions is driven partly due to the modelling which seeks to reduce under-occupancy in order to make more efficient use of stock in the District.
- The 2020 HNA conclusions recommended that 69% of market housing be family-sized (i.e. 3 or more-bedroom homes)
 - The 2023 analysis suggests just over half of homes (51%) should be family-sized with a balance of smaller properties at 49%.
- 2.12 The 2023 analysis for the Affordable sector remain broadly comparable with 2020 HNA recommendations in respect of need for family/smaller properties.

Policy S7: Meeting Future Housing Provision – No change.

- Supporting text at paragraph 3.68 will need amending to reflect the new HNA title.

Policy H6: Housing Mix – No change. The policy is not prescriptive and relies on supporting text to set out a starting point for developing an appropriate mix on a site by site basis.

- Supporting text at paragraphs 6.145, 6.146 and Table 6: Recommended Housing Mix will need amending to reflect the new HNA title and data.

Older Persons and Disabled People

- 2.13 The older person population is projected to increase notably moving forward. An ageing population means that the number of people with disabilities is likely to increase substantially, and this is the main driver for additional specialist accommodation.
- 2.14 There is a current need for housing with support (retirement/ sheltered housing) in the market sector, and also a small current under-supply in the affordable sector. Both are expected to increase given the growth in the population aged over 75.
- 2.15 The analysis also points to a strong potential need for housing with care (e.g. extra-care) in both the market and affordable sectors.
- 2.16 The analysis also suggests a future need for some additional residential and nursing care bedspaces in future, although currently there is an over-supply for residential care bedspaces. In Nottinghamshire there is a desire to shift away from residential care towards extra-care, therefore the findings of additional future need should only be seen as a nominal need rather than an actual need.

Specialist Housing Needs - Shortfall by 2041 (2020 vs 2023 HNA)

	2020 HNA	2023 HNA
Housing with Support: Market	1,426	726
Housing with Support: Affordable	1,037	833
Housing with Care: Market	441	375
Housing with Care: Affordable	507	559
Bedspaces (residential care/nursing care)	1,252	694

Source: 2020 and 2023 Housing Needs Studies

2.17 Despite lower figures when compared to the 2020 HNA, there remains a clear need for specialist housing both with regards to housing with support and housing with care across both market and affordable tenures.

Policy S7: Meeting Future Housing Provision – No change.

- Supporting text at paragraphs 3.72-3.74 will need amending to reflect the new HNA title and data.

Policy H6: Housing Mix – Potential change to specifically refer to supporting provision of specialist housing. This Development Management policy is currently silent on the matter as it is included in Strategic Policy S7.

- Supporting text at paragraphs 6.149 – 6.161 will need amending to reflect the new HNA title and data.

Wheelchair Accessible Homes

2.18 Nationally, around 3.4% of households contain a wheelchair user – with around 1% using a wheelchair indoors. There is a clear correlation between the age of household reference person and the likelihood of there being a wheelchair user in the household. Icenl have adjusted their method since the publication of the 2020 HNA and now aligns prevalence rates to age structure, with adjustments to take account of the relative health of the population. This results in a higher overall need for wheelchair user homes.

Estimated Need for Wheelchair User Homes – Total current and future need to 2040.

	2020 HNA	2023 HNA
Total Need	425	774

Source: 2020 and 2023 Housing Needs Studies

- 2.19 A need for 774 homes for wheelchair users over the 2023-40 period (46 per annum) equates to around 10% of the Standard Method need for 446 dwellings per annum. This would suggest that there is a clear need to increase the supply of accessible and adaptable dwellings and wheelchair-user dwellings as well as providing a specific provision of older persons housing.
- 2.20 Planning guidance sets out that ‘Based on their housing needs assessment and other available datasets it will be for local planning authorities to set out how they intend to approach demonstrating the need for Requirement M4(2) (accessible and adaptable dwellings), and/or M4(3) (wheelchair user dwellings), of the Building Regulations.’
- 2.21 The Government recently reported on a consultation on changes to the way the needs of people with disabilities and wheelchair users are planned for. The key outcome was: *‘Government is committed to raising accessibility standards for new homes. We have listened carefully to the feedback on the options set out in the consultation and the government response sets out our plans to mandate the current M4(2) requirement in Building Regulations as a minimum standard for all new homes’*. This change is due to be implemented through a change to building regulations in due course, although at this stage the timeframe is not known.
- 2.22 However, the need for M4(3) wheelchair user dwellings will still need to be evidenced and tailored to local demand. As well as evidence of need, the viability challenge is particularly relevant for M4(3) standards which can involve high additional costs that could in some cases challenge the feasibility of delivering all or any of a policy target.
- 2.23 The draft HNA update recommends that given the evidence, the Council could consider (as a start point) requiring all dwellings (in all tenures) to meet the M4(2) standards and around 5% of homes meeting M4(3) – wheelchair user dwellings in the market sector (a higher proportion of around a tenth in the affordable sector). However, it is acknowledged that it may not be possible for some schemes to be built to these higher standards due to built-form, topography, flooding etc. Furthermore, the provision of this type of property may in some cases challenge the viability of delivery given the reasonably high build-out costs.

Policy S7: Meeting Future Housing Provision – No change.

Policy H6: Housing Mix – This draft policy currently requires developments of 10 or more dwellings to provide 10% accessible and adaptable M4(2) dwellings and no requirement for wheelchair user dwellings M4(3). The whole plan viability has been tested on this basis.

Further work may need to be undertaken if it is minded to take on the recommendations in the updated HNA subsequent to receiving the final report, including the implications for viability, and resulting impact on the level of affordable housing which is currently required by draft Policy H3.

- Supporting text at paragraphs 6.155 will need amending to reflect the new HNA title and data.

Student Housing Need

2.24 The draft HNA focuses on Nottingham City and Broxtowe authority areas as those in potential need for purpose build student accommodation in relation to the 2 Universities. There are no implications for Ashfield District from this sector. The profile of Full-time students across the study area only identifies that 3% are located in Ashfield District (68% of which live with parents).

No change required.

Private Rented Sector

2.25 Over recent years, successive Governments have looked to the private rented sector to play a greater role in providing more new build housing and have sought to encourage “Build to Rent” development. The study area authorities currently have no planning policy in place to deal with planning applications which are submitted for Build to Rent development, however, this has not hindered Build to Rent development coming forward in the study area, particularly in Nottingham City.

2.26 Given the benefits of Build to Rent development, including longer tenancies and the provision of affordable rented housing, the partner Councils are advised to develop a policy supporting Build to Rent development which specifies the types of locations which are considered suitable for such development.

2.27 Planning policy guidance states that authorities should specify the circumstances and locations where Build to Rent schemes would be encouraged. It identifies town centre regeneration areas and parts of large sites as examples. Accordingly, Icenii recommend that schemes should be supported within:

- Nottingham City – principally within the Creative Quarter, Canal Quarter and Royal Quarter, as well as strategic regeneration sites;
- Broxtowe – principally around Beeston and in close proximity close to transport nodes;
- Rushcliffe - principally around West Bridgford.

There are also opportunities for Build to Rent development to come forward through the potential Nottingham Tram expansion. Elsewhere, opportunities should also be considered on the main arterial routes and Transport Hubs into and on the borders of Nottingham City, should funding become available.

This aspect is not currently addressed in the emerging Ashfield Local Plan.

Given the locational recommendations in the draft HNA update, it is not considered necessary to formulate a specific policy in the Ashfield Local Plan for build to rent. Such products would not be precluded from coming forward through the planning application process in any event, should there be a demand.

Implications

Corporate Plan: Planning, and the Local Plan in particular, has a cross cutting role to play in helping to meet and deliver the 6 priorities identified in the Corporate Plan. In particular, the Local Plan has a key responsibility in delivering the outcomes around the supply of appropriate and affordable homes, improving town centres, maximising economic growth especially around transport hubs and improving green spaces and the natural environment.

Legal: The Planning and Compulsory Purchase Act 2004 (as amended) (“the Act”) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) sets out the legislative requirements in bringing a local plan forward. Under Section 20 of the Act, an authority must not submit a Local Plan unless they have complied with any relevant requirements contained in the Regulations and the document is ready for independent examination. [RLD 14/02/2024]

Finance: There may be potential financial implications if the Council wishes to recommend taking account of the HNA update prior to Local Plan examination as this would require an addendum/update to the Whole Plan Viability Assessment. The cost is currently unknown.

Budget Area	Implication
General Fund – Revenue Budget	None.
General Fund – Capital Programme	None.
Housing Revenue Account – Revenue Budget	None.
Housing Revenue Account – Capital Programme	None.

Risk:

Risk	Mitigation
Impact of any changes to current wording of policies on the whole plan viability.	An addendum/update to the Whole Plan Viability Assessment could be prepared if required.

This could ultimately reduce the level of affordable housing which can be asked for in Policy H3.	
A decision to not take account of up-to-date evidence could be challenged by the Inspector and delay the Examination process.	The local planning authority are able to include proposed changes to the Regulation 19 Plan in an addendum at submission stage. Proposed changes are considered by the Inspector during the examination process.

Human Resources: There are no direct HR implications contained within this report.[KB 13/02/2024]

Environmental/Sustainability: Sustainability is at the heart of the planning system and the Plan has been prepared with the aim of delivering sustainable development in the District in accordance with the requirements of paragraphs 7 and 8 of the National Planning Policy Framework (NPPF), 2021. The Plan has been prepared in accordance with the Planning & Compulsory Purchase Act 2004, as amended, which requires the Council to conduct an appraisal of the sustainability of the proposals in Local Plan and prepare a report of the findings of the appraisal.

Equalities: An Equality Impact Assessment has been undertaken as part of the consideration of the Regulation 19 Local Plan.

Other Implications:

None

Reason(s) for Urgency

None

Reason(s) for Exemption

None

Background Papers

None

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Report To:	LOCAL PLAN DEVELOPMENT COMMITTEE
Date:	26TH FEBRUARY 2024
Heading:	NATIONAL PLANNING POLICY FRAMEWORK (NPPF) DECEMBER 2023 – SUMMARY OF KEY CHANGES
Executive Lead Member:	NOT APPLICABLE
Ward/s:	ALL WARDS
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

To summarise the key changes to the National Planning Policy Framework (NPPF) which came into effect in December 2023. The changes to the NPPF show the Government's direction on planning and guiding development.

Recommendation(s)

The Local Plan Development Committee to note the contents of the report.

Reasons for Recommendation(s)

To make Members aware of the key changes and information in relation to potential changes to the planning system.

Alternative Options Considered

Not to update Members of the changes to the NPPF. Members would not be fully informed of the most current changes to current planning guidance and would not be made aware that the Ashfield Local Plan will, following submission, be examined under the September 2023 version of the National Planning Policy Framework.

Detailed Information

- 1.1 The National Planning Policy Framework was revised in response to the Levelling-up and Regeneration Bill: reforms to national planning policy consultation on 19 December 2023, and sets out the Government's planning policies for England and how these are expected to be applied.
- 1.2 This revised Framework replaces the previous National Planning Policy Framework published in March 2012, revised in July 2018, updated in February 2019, revised in July 2021, and updated in September 2023.
- 1.3 The biggest change is that the revised NPPF introduces various reforms to housing delivery. The revised NPPF also includes new drafting on protection from "out of character" residential development, Green Belt alterations, energy efficient building improvements and allocation of agricultural land for development.
- 1.4 Paragraph 230 of the revised NPPF sets out a transitional period which applies to local authorities which have reached an advanced stage in their Local Plan preparation. This states that the policies in the NPPF (December 2023) will apply for the purpose of examining plans, where those plans reach regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (presubmission) stage after 19 March 2024. Plans that reach pre-submission consultation on or before this date will be examined under the relevant previous version of the Framework in accordance with the above arrangements. As the emerging Ashfield Local Plan reached Regulation 19 stage before 19th December 2023, the Plan will be examined under the September 2023 version of the NPPF. The last day to submit a Plan for examination under the September 2023 version of the NPPF will be 30 June 2025.
- 1.5 For decision making (planning applications), paragraph 226 of the NPPF states that any authority currently undertaking the Regulation 18 or 19 consultation will only have to provide a minimum of a four-year housing land supply (rather than 5 years) and as such applies to Ashfield due to the stage reached in Plan preparation. This change could potentially help reduce speculative development occurring due to the application of the 'tilted balance', however the current situation for Ashfield remains unchanged as the readily deliverable housing supply still falls short of 4 years (approximately 2.93 years).
- 1.6 The term 'tilted balance' is used to define NPPF paragraph 11(d) because when engaged, the tilted balance should change the 'balancing exercise' which the decision-taker (the planning officer, inspector or secretary of state) makes when deciding whether or not to grant planning permission; from a neutral balance where if the harms outweigh the benefits planning permission is usually withheld, to a tilted balance where the harms should significantly and demonstrably outweigh the benefits for permission to be withheld. The tilted balance therefore increases the prospect of planning permission being granted because it 'tilts' the balance in favour of approving an application.
- 1.7 Going forward, the Government has indicated that the regulations, policy, and guidance necessary for the preparation of the new style Local Plans will be in place by Autumn 2024. In the new system, planning authorities will need to prepare, consult on, and adopt Plans within a 30-month timeframe and follow the same process for each subsequent update of their Plans, including examination by the Planning Inspectorate.

The main updates are;

- 2.1 **Changes to the wording on amending Green Belt boundaries** – the new text makes it clear that local authorities are not required to review their green belt boundaries during plan-making and does not explicitly link this issue to housing supply. Moreover, authorities can review and alter boundaries where exceptional circumstances are justified and evidenced. This is functionally the same as before.
- 2.2 **Urban Density** – new paragraph 130 states that in existing urban areas, significant uplifts in the average density of residential development may be inappropriate if this would be wholly out of character with the existing area. These circumstances would need to be evidenced through an area-wide design code adopted as part of the Development Plan.
- 2.3 **Increased support for small sites** – through policies and decisions, Councils should support small sites for community-led development (CLD) for housing, as well as self-build and custom-build housing.
- **Community-led development** is defined as one taken forward by not-for-profit organisations for the benefit of its members and the wider local community.
 - Local Authorities should also support CLDs on sites that are otherwise not suitable as **rural exception sites** and are not already allocated for housing.
- 2.4 **Changes to 5-year housing land supply** – authorities do not need to demonstrate a continuous 5-year housing supply where the Local Plan is up to date, which is to say less than 5 years old.
- Under the previous version of the NPPF, all local planning authorities were required to build a buffer of 5% (by default), 10% or 20% into their calculations on five-year housing land supply. In the updated NPPF, the 5% and 10% buffers have been removed, but the 20% buffer has been retained where delivery falls below 85% of the requirement over the previous three years (this applies to Ashfield). In addition, historic oversupply can be accounted for in the five-year housing land supply calculation, further guidance will be released for this.
- 2.5 **Development that conflicts with Neighbourhood Plans** - The NPPF previously said that the adverse impact of allowing development that conflicts with the Neighbourhood Plan is likely to outweigh the benefits, but not if that Plan is more than two years old. The Government has now extended that protection to plans that are up to five years old. It has also removed tests which had meant local planning authorities needed to demonstrate a minimum housing land supply and have delivered a minimum amount in the Housing Delivery Test in order that Neighbourhood Plans benefited from the protection.
- 2.6 **Standard Method for assessing housing need** – the revised NPPF confirms that the standard method for calculating housing need is an “advisory starting point” for generating the number of required homes to plan for. This simply confirms the existing status as set in guidance and Local Authorities can diverge from the standard method in “exceptional circumstances”.

- 2.7 **Retirement housing, housing with care, care homes** – New paragraph 63 of the NPPF includes specific expectations to ensure authorities take particular care to make sure they meet the need for this type of occupation.
- 2.8 **Energy Efficiency** – New paragraph 164 puts ‘significant weight’ to the importance of energy efficiency through the adaptation of buildings.
- 2.9 **Increased reference to “beauty”** – littered throughout the NPPF, likely to put increased focus on decision-makers to consider high-quality design standards. However, “beauty” remains ill-defined and likely to be subjective on the part of the decision-maker.

Implications

Corporate Plan: Planning, and the Local Plan has a cross cutting role to play in helping to meet and deliver the priorities identified in the Corporate Plan. In particular, the Local Plan has a key responsibility in delivering the outcomes around the supply of appropriate and affordable homes, improving town centres, facilitating economic growth especially around transport hubs, and improving parks and green spaces.

Legal: The NPPF requires local authorities to develop local plans for development in their area that are consistent with national policy. In turn, applications for planning permission must be determined in accordance with Local Development Plans, unless material considerations indicate otherwise. The National Planning Policy Framework is a consideration in all decision making as part of the planning process. Any implications relating to the Local Plan will be kept under review. [RLD 14/02/2024]

Finance: There are no direct financial implications contained within this report. [PH 12/02/2024].

Budget Area	Implication
General Fund – Revenue Budget	None.
General Fund – Capital Programme	None.
Housing Revenue Account – Revenue Budget	None.
Housing Revenue Account – Capital Programme	None.

Risk:

Human Resources: There are no direct HR implications contained within this report.[KB 15/02/2024]

Environmental/Sustainability: Sustainability is at the heart of the planning system and the Plan has been prepared with the aim of delivering sustainable development in the District in accordance with the requirements of paragraphs 7 and 8 of the National Planning Policy Framework (NPPF), 2021. The Plan has been prepared in accordance with the Planning & Compulsory Purchase Act 2004, as amended, which requires the Council to conduct an appraisal of the sustainability of the proposals in Local Plan and prepare a report of the findings of the appraisal.

Equalities: An Equality Impact Assessment has been undertaken as part of the consideration of the Regulation 19 Local Plan.

Other Implications: None.

Reason(s) for Urgency: Not applicable.

Reason(s) for Exemption: Not applicable.

Background Papers: None

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